

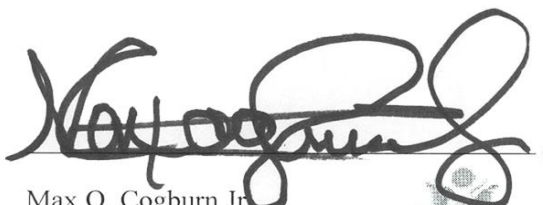
On August 9, 2019, the Court ordered Petitioner to file a superseding Amended § 2255 Motion to Vacate correcting these deficiencies. The Court cautioned Petitioner that failure to comply would probably result in the dismissal of this action without further notice.

Petitioner has not filed an Amended § 2255 Motion to Vacate and the time to do so has expired. Therefore, the case will be dismissed without prejudice for failing to comply with a court order. Fed. R. Civ. P. 41(b) (“If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it.”); Link v. Wabash R.R. Co., 370 U.S. 626, 631-33 (1962) (although Rule 41(b) does not expressly provide for *sua sponte* dismissal, a district court has the inherent power to dismiss a case for lack of prosecution or violation of a court order); see, e.g., Robinson v. North Carolina, 764 Fed. Appx. 339 (4th Cir. 2019) (affirming the dismissal without prejudice of a § 2241 petition for failure to comply with an order).

IT IS, THEREFORE, ORDERED that:

- (1) This action is dismissed without prejudice for Petitioner’s failure to comply with this Court’s August 9, 2019 Order.
- (2) The Clerk of this Court is directed to terminate this action.

Signed: October 18, 2019


Max O. Cogburn Jr.
United States District Judge